

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRELL WAYNE SMITH,

a/k/a/ “Dirty Dick Smith,”

Defendant.

Case No. 23-CR-00110 YGR

**ORDER TO SHOW CAUSE RE:
CONTRIBUTION/REIMBURSEMENT FOR
COST OF DEFENSE**

As the Court indicated to defense counsel on Thursday, September 18, 2025, the Court hereby orders a hearing regarding contribution/reimbursement from the defendant for the costs of his defense. The defendant’s sworn affidavit indicating that with respect to the value of his “Other property” assets, he owned “\$0.” Based, in part, on this sworn statement, a magistrate judge in Florida authorized counsel under the Criminal Justice Act (“CJA”).


The CJA grants presiding judges the authority to order reimbursement where “the court finds that funds are available for payment from or on behalf of a person furnished representation [...]” 18 U.S.C. § 3006A(f). The person seeking appointment of counsel has the responsibility of providing the court with sufficient and accurate information upon which the court can make an eligibility determination. Counsel also has an obligation to advise the court about the client’s ability to pay. Guide to Judiciary Policy Vol 7A, § 210.10.30.

Here, on the last day of the defendant’s criminal trial, defendant’s wife testified that several pieces of real property were transferred out of defendant’s LLC and into her name. Their motivation for the transfer was to protect their assets from potential claims arising from the allegations emanating by inmates at FCI Dublin.

1 The Court requires a full accounting of the identity and the value of all the properties that
2 were in the LLC and transferred, including their home which appears to be valued at \$500,000.
3 An initial hearing on the issue shall occur on **September 23, 2025 at 10:00 a.m.** in Courtroom
4 One of the United States District Court, Oakland, California.

5 **IT IS SO ORDERED.**

6 Dated: September 22, 2025

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8 YVONNE GONZALEZ ROGERS
9 UNITED STATES DISTRICT COURT JUDGE
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United States District Court
Northern District of California